

[REDACTED]

E-filing

FILED

MAY 19 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOHN BARBER

Plaintiff,

vs.

EUGINE WARFIELD

Defendant.

CV

08

1526

CASE NO.

PRISONER'S
APPLICATION TO PROCEED
IN FORMA PAUPERIS

SBA
(PR)

I, JOHN BARBER, declare, under penalty of perjury that I am the plaintiff in the above entitled case and that the information I offer throughout this application is true and correct. I offer this application in support of my request to proceed without being required to prepay the full amount of fees, costs or give security. I state that because of my poverty I am unable to pay the costs of this action or give security, and that I believe that I am entitled to relief.

In support of this application, I provide the following information:

1. Are you presently employed? Yes ___ No X

If your answer is "yes," state both your gross and net salary or wages per month, and give the name and address of your employer:

Gross: NA Net: NA

Employer: NA

1 If the answer is "no," state the date of last employment and the amount of the gross and net
2 salary and wages per month which you received. (If you are imprisoned, specify the last
3 place of employment prior to imprisonment.)

4 10/17/2003 WAGE=\$1600 .MONTHLY
5
6

7 2. Have you received, within the past twelve (12) months, any money from any of the
8 following sources:

9 a. Business, Profession or Yes ____ No X
10 self employment

11 b. Income from stocks, bonds, Yes ____ No X
12 or royalties?

13 c. Rent payments? Yes ____ No X

14 d. Pensions, annuities, or Yes ____ No X
15 life insurance payments?

16 e. Federal or State welfare payments, Yes ____ No X
17 Social Security or other govern-
18 ment source?

19 If the answer is "yes" to any of the above, describe each source of money and state the amount
20 received from each.

21 NA
22

23 3. Are you married? Yes ____ No X

24 Spouse's Full Name: NA

25 Spouse's Place of Employment:

26 Spouse's Monthly Salary, Wages or Income:

27 Gross \$ Net \$

28 4. a. List amount you contribute to your spouse's support:\$

1 b. List the persons other than your spouse who are dependent upon you for
 2 support and indicate how much you contribute toward their support. (NOTE:
 3 For minor children, list only their initials and ages. DO NOT INCLUDE
 4 THEIR NAMES.).

5 NA

6
 7 5. Do you own or are you buying a home? Yes ___ No X

8 Estimated Market Value: \$ NA Amount of Mortgage: \$ NA

9 6. Do you own an automobile? Yes ___ No X

10 Make NA Year NA Model NA

11 Is it financed? Yes ___ No ___ If so, Total due: \$ _____

12 Monthly Payment: \$ _____

13 7. Do you have a bank account? Yes ___ No X (Do not include account numbers.)

14 Name(s) and address(es) of bank: NA

15
 16 Present balance(s): \$ NA

17 Do you own any cash? Yes ___ No X Amount: \$ _____

18 Do you have any other assets? (If "yes," provide a description of each asset and its estimated
 19 market value.) Yes ___ No X

20
 21 8. What are your monthly expenses?

22 Rent: \$ NA Utilities: _____

23 Food: \$ _____ Clothing: _____

24 Charge Accounts:

25	<u>Name of Account</u>	<u>Monthly Payment</u>	<u>Total Owed on This Acct.</u>
26	<u>NA</u>	\$ _____	\$ _____
27	_____	\$ _____	\$ _____
28	_____	\$ _____	\$ _____

1 9. Do you have any other debts? (List current obligations, indicating amounts and to
2 whom they are payable. Do not include account numbers.)

3 NA
4

5 10. Does the complaint which you are seeking to file raise claims that have been presented
6 in other lawsuits? Yes ___ No X

7 Please list the case name(s) and number(s) of the prior lawsuit(s), and the name of the court in
8 which they were filed.
9

10
11 I consent to prison officials withdrawing from my trust account and paying to the court
12 the initial partial filing fee and all installment payments required by the court.

13 I declare under the penalty of perjury that the foregoing is true and correct and
14 understand that a false statement herein may result in the dismissal of my claims.

15
16 4/20/2008

17 DATE

18
19
20
21
22
23
24
25
26
27
28
SIGNATURE OF APPLICANT

PRISONER AUTHORIZATION

If my request to proceed without prepayment of filing fees is granted, I understand that I am required by statute to pay the full amount of the filing fees for this case, regardless of my forma pauperis status and the disposition of this case. I further authorize the prison officials at this institution to assess, collect and forward to the Court the full amount of these fees, in monthly payments based on the average of deposits to or balance in my prison trust account in accordance with 28 U.S.C. Section 1915.

John Bailey
Prisoner-Plaintiff (Signature)

CERTIFICATE OF AUTHORIZED OFFICER

I hereby certify that the Prisoner-Plaintiff herein has credit in the sum of \$ 0 on account at the West Valley Detention Center institution where Prisoner-Plaintiff is confined.

I further certify that during the past six months the applicant's average monthly balance was \$ 0. I further certify that during the past six months the average of monthly deposits to the applicant's account was \$ 0.

A certified copy of the prisoner-plaintiff's trust account statement for the last six (6) months is attached.

03.21.08
Date

J. D. Glover
Authorized Officer of Institution (Signature)



Trust Account Summary

San Bernardino County Sheriff
Jail Information Management System

0503340152

3/21/2008 9:57 AM

BARBER, JOHN

BMA

IN CUSTODY

Total Deposits: **+403.97** Total Withdrawals: **-815.47** Balance: **\$-411.50** Facility Adjust: **\$0.00**

Medical Co-Pay: **\$-30.00** Welfare Bag: **\$-381.50** Jail Damage: **\$0.00** ID Card: **\$0.00**

Date	Time	Amount	Type	Tran	Reference	Fiscal Officer	Facility
03/01/05	22:14	\$0.00	D	INTA	03340152	M SAHAGUN	34
03/02/05	00:35	\$1.50	W	WELF	DB	S JEWSBURY	34
03/09/05	12:05	\$3.25	W	WELF	030805	N OLIVAS	34
03/15/05	22:53	\$3.25	W	WELF	031505	N OLIVAS	34
03/16/05	12:25	\$20.00	D	CIVI	44	S FELIX	34
03/20/05	08:31	\$3.00	W	MDCP	MP031905	K KLEIN	34
03/22/05	03:49	\$8.95	W	COMM	00000000	A MALTESE	34
03/30/05	11:41	\$20.00	D	CIVI	34	J DOUCETTE	34
04/01/05	20:21	\$100.00	D	CIVI	172	R CONCEPCION	34
04/05/05	04:42	\$63.66	W	COMM	040505	A NEAL	34
04/12/05	03:31	\$43.76	W	COMM	00000000	A MALTESE	34
04/19/05	03:45	\$11.80	W	COMM	00000000	A MALTESE	34
04/22/05	10:15	\$10.00	D	CIVI	35	N ORDAZ	34
04/26/05	05:42	\$10.30	W	COMM	00000000	A MALTESE	34
05/04/05	08:47	\$100.00	D	CIVI	7	J DOUCETTE	34
05/10/05	04:35	\$47.83	W	COMM	00000000	A MALTESE	34
05/17/05	04:33	\$24.54	W	COMM	00000000	A MALTESE	34
05/24/05	04:31	\$11.85	W	COMM	00000000	A MALTESE	34
05/31/05	06:18	\$13.94	W	COMM	00000000	A MALTESE	34
06/07/05	06:18	\$2.10	W	COMM	00000000	A MALTESE	34
06/08/05	10:27	\$15.00	D	CIVI	36		34
06/11/05	19:18	\$20.00	D	CIVI	191	R CONCEPCION	34
06/14/05	05:36	\$32.47	W	COMM	00000000	A MALTESE	34
06/15/05	17:42	\$10.00	D	CIVI	116	T ESCOBAR	34
06/21/05	02:18	\$8.53	W	COMM	00000000	A MALTESE	34
06/23/05	01:59	\$32.47	D	COMM	00000000	A MALTESE	34
06/25/05	16:27	\$15.00	D	CIVI	182	T ESCOBAR	34
06/28/05	06:10	\$50.92	W	COMM	00000000	A MALTESE	34

Date	Time	Amount	Type	Tran	Reference	Fiscal Officer	Facility
06/29/05	06:28	\$3.25	W	WELF	062805	K KLEIN	34
07/10/05	14:07	\$3.00	W	MDCP	070805		34
07/14/05	11:20	\$3.25	W	WELF	071205	N ORDAZ	34
07/27/05	08:35	\$3.25	W	WELF	072605		34
08/02/05	22:45	\$3.25	W	WELF	080205	N OLIVAS	34
08/05/05	21:41	\$3.00	W	MDCP	MP080505	R CONCEPCION	34
08/09/05	19:34	\$25.00	D	CIVI	51	M PEREZ	34
08/09/05	23:36	\$3.25	W	WELF	080905	K KLEIN	34
08/16/05	05:42	\$3.03	W	COMM	00000000	A MALTESE	34
08/17/05	18:57	\$3.25	W	WELF	WB081605		34
09/07/05	23:27	\$3.25	W	WELF	WB090605	R CONCEPCION	34
09/22/05	01:28	\$3.25	W	WELF	092005	N ORDAZ	34
09/28/05	00:49	\$3.25	W	WELF	092705	N OLIVAS	34
10/05/05	23:38	\$3.25	W	WELF	WB100405	R CONCEPCION	34
10/11/05	20:26	\$30.00	D	CIVI	59	R CONCEPCION	34
10/18/05	03:23	\$14.04	W	COMM	00000000	A MALTESE	34
10/19/05	15:06	\$3.25	W	WELF	101805	K KLEIN	34
10/27/05	09:44	\$3.25	W	WELF	102505	K KLEIN	34
11/03/05	07:08	\$3.25	W	WELF	110105	N OLIVAS	34
11/08/05	22:40	\$3.25	W	WELF	110805	N OLIVAS	34
11/17/05	07:36	\$3.25	W	WELF	1115050	N ORDAZ	34
11/23/05	09:22	\$3.25	W	WELF	112205	N ORDAZ	34
11/30/05	23:12	\$3.25	W	WELF	112905	K KLEIN	34
12/07/05	10:04	\$3.25	W	WELF	120605	G ZAMORA	34
12/14/05	10:08	\$3.25	W	WELF	121305	N ORDAZ	34
12/21/05	06:31	\$3.25	W	WELF	12/20	M PEREZ	34
12/28/05	06:53	\$3.25	W	WELF	122705	N ORDAZ	34
01/03/06	21:58	\$3.25	W	WELF	010306	K KLEIN	34
01/05/06	09:34	\$3.00	W	MDCP	010406	N ORDAZ	34
01/08/06	21:14	\$3.00	W	MDCP	010506	N ORDAZ	34
01/11/06	17:42	\$3.25	W	WELF	011006	K KLEIN	34
01/18/06	10:26	\$3.25	W	WELF	011706	N ORDAZ	34
01/26/06	07:40	\$3.25	W	WELF	1/24	M PEREZ	34
02/01/06	09:34	\$3.25	W	WELF	013106	N ORDAZ	34
02/09/06	10:38	\$3.25	W	WELF	020706	N ORDAZ	34
02/24/06	04:23	\$3.25	W	WELF	2/21	M PEREZ	34
03/08/06	05:31	\$3.25	W	WELF	3/7	M PEREZ	34

Date	Time	Amount	Type	Tran	Reference	Fiscal Officer	Facility
03/15/06	17:43	\$3.25	W	WELF	031406	K KLEIN	34
03/28/06	23:15	\$3.25	W	WELF	3/27	M PEREZ	34
04/05/06	06:24	\$3.25	W	WELF	4/4	M PEREZ	34
04/11/06	23:22	\$3.25	W	WELF	4/11	M PEREZ	34
04/19/06	13:13	\$3.25	W	WELF	041806	N ORDAZ	34
04/26/06	20:47	\$3.25	W	WELF	042506	K KLEIN	34
05/09/06	20:37	\$3.25	W	WELF	050906	L GOLDING	34
05/17/06	10:53	\$3.25	W	WELF	051606	K KLEIN	34
05/24/06	10:53	\$3.00	W	MDCP	052306	K KLEIN	34
05/26/06	12:24	\$3.25	W	WELF	52306	J DOUCETTE	34
06/04/06	10:14	\$3.25	W	WELF	53006	J DOUCETTE	34
06/16/06	06:59	\$3.25	W	WELF	61206	K JOHNSON	34
06/22/06	10:29	\$3.25	W	WELF	062006	K KLEIN	34
07/01/06	11:10	\$3.25	W	WELF	62706	K JOHNSON	34
07/27/06	19:39	\$3.25	W	WELF	071406	R ABIVA	34
07/27/06	23:15	\$3.25	W	WELF	071406	R ABIVA	34
07/31/06	12:56	\$3.25	W	WELF	71306	K JOHNSON	34
08/01/06	17:26	\$3.25	W	WELF	9876037		34
08/15/06	08:36	\$3.25	W	WELF	9917725		34
08/22/06	04:21	\$3.25	W	WELF	9939806		34
08/29/06	02:18	\$3.25	W	WELF	9960647		34
09/06/06	01:12	\$3.25	W	WELF	9983786		34
09/12/06	01:59	\$3.25	W	WELF	10001026		34
09/19/06	05:15	\$3.25	W	WELF	10026855		34
09/25/06	05:10	\$3.25	W	WELF	10042308		34
10/03/06	08:14	\$3.25	W	WELF	10070101		34
10/10/06	04:31	\$3.25	W	WELF	10089935		34
10/17/06	03:31	\$3.25	W	WELF	10111344		34
10/24/06	06:42	\$3.25	W	WELF	10134432		34
10/31/06	03:13	\$3.25	W	WELF	10154495		34
11/07/06	06:27	\$3.25	W	WELF	10177927		34
11/14/06	06:14	\$3.25	W	WELF	10199519		34
11/21/06	10:44	\$3.25	W	WELF	23166		34
11/22/06	12:03	\$3.25	W	WELF	10218811		34
11/22/06	12:50	\$3.25	W	WELF	23166		34
11/27/06	14:33	\$3.25	D	CRWB	10218811	S LINDSEY	34
11/28/06	06:41	\$3.25	W	WELF	10243135		34

Date	Time	Amount	Type	Tran	Reference	Fiscal Officer	Facility
11/30/06	14:43	\$3.25	D	CRWB	23166	S LINDSEY	34
12/05/06	05:53	\$3.25	W	WELF	10264341		34
12/06/06	09:55	\$3.00	W	MDCP	120106	K JOHNSON	34
12/19/06	05:14	\$3.25	W	WELF	10307135		34
12/26/06	02:27	\$3.25	W	WELF	10325865		34
01/02/07	06:19	\$3.25	W	WELF	10347979		34
01/09/07	01:06	\$3.25	W	WELF	10366370		34
01/16/07	07:01	\$3.25	W	WELF	10390988		34
01/23/07	07:09	\$3.25	W	WELF	10412867		34
01/30/07	05:31	\$3.25	W	WELF	10433517		34
02/06/07	05:29	\$3.25	W	WELF	10454256		34
02/20/07	06:23	\$3.25	W	WELF	10498725		34
02/27/07	06:43	\$3.25	W	WELF	10519862		34
03/06/07	06:48	\$3.25	W	WELF	10541426		34
03/13/07	06:22	\$3.25	W	WELF	10563674		34
03/15/07	10:06	\$3.00	W	MDCP	31407	K JOHNSON	34
03/20/07	02:18	\$3.25	W	WELF	10582871		34
03/27/07	03:11	\$3.25	W	WELF	10604746		34
04/03/07	03:02	\$3.25	W	WELF	10627302		34
04/10/07	05:14	\$3.25	W	WELF	10651479		34
04/17/07	04:15	\$3.25	W	WELF	10672754		34
04/20/07	06:56	\$3.00	W	MDCP	041907	K KLEIN	34
04/24/07	04:01	\$3.25	W	WELF	10696046		34
05/01/07	03:30	\$3.25	W	WELF	10719342		34
05/08/07	03:32	\$3.25	W	WELF	10741599		34
05/15/07	02:46	\$3.25	W	WELF	10762645		34
05/22/07	03:30	\$3.25	W	WELF	10781812		34
05/29/07	06:45	\$3.25	W	WELF	10805682		34
06/01/07	10:45	\$3.00	W	MDCP	053107	R ABIVA	34
06/05/07	03:47	\$3.25	W	WELF	10827080		34
06/12/07	04:18	\$3.25	W	WELF	10851444		34
06/19/07	08:06	\$3.25	W	WELF	10874433		34
06/26/07	01:45	\$3.25	W	WELF	10894858		34
07/03/07	11:02	\$3.25	W	WELF	10920748		34
07/10/07	07:38	\$3.25	W	WELF	10942081		34
07/17/07	07:17	\$3.25	W	WELF	10964547		34
07/24/07	07:05	\$3.25	W	WELF	10983121		34

Date	Time	Amount	Type	Tran	Reference	Fiscal Officer	Facility
07/31/07	05:48	\$3.25	W	WELF	11002327		34
08/02/07	19:51	\$3.00	W	MDCP	8/1/07	M UDO	34
08/07/07	04:46	\$3.25	W	WELF	11008978		34
08/14/07	05:48	\$3.25	W	WELF	11015507		34
08/15/07	04:22	\$3.00	W	MDCP	8/13	M PEREZ	34
08/21/07	06:02	\$3.25	W	WELF	11021940		34
08/28/07	05:09	\$3.25	W	WELF	11028286		34
09/04/07	05:45	\$3.25	W	WELF	11034101		34
09/11/07	11:02	\$3.25	W	WELF	11043169		34
09/23/07	03:07	\$3.25	W	WELF	11054127		34
09/25/07	03:35	\$3.25	W	WELF	11056820		34
10/02/07	04:31	\$3.25	W	WELF	11063351		34
10/09/07	02:45	\$3.25	W	WELF	11069484		34
10/16/07	03:46	\$3.25	W	WELF	11076307		34
10/23/07	01:15	\$3.25	W	WELF	11082524		34
10/30/07	02:46	\$3.25	W	WELF	11089124		34
10/30/07	02:47	\$1.50	W	WELF	11089124		34
11/06/07	03:34	\$3.25	W	WELF	11095759		34
11/13/07	04:36	\$3.25	W	WELF	11102226		34
11/19/07	02:15	\$3.25	W	WELF	11108325		34
12/04/07	03:30	\$3.25	W	WELF	11121650		34
12/11/07	02:46	\$3.25	W	WELF	11128186		34
12/18/07	02:17	\$3.25	W	WELF	11136599		34
12/21/07	03:45	\$3.25	W	WELF	11142306		34
12/28/07	04:17	\$3.25	W	WELF	11148267		34
01/08/08	04:15	\$3.25	W	WELF	11156218		34
01/15/08	03:01	\$3.25	W	WELF	11162860		34
01/22/08	02:30	\$3.25	W	WELF	11169145		34
01/29/08	03:30	\$3.25	W	WELF	11175930		34
02/05/08	03:19	\$3.25	W	WELF	11181941		34
02/06/08	09:20	\$3.00	W	MDCP	020508	A GAYTAN	34
02/12/08	02:47	\$3.25	W	WELF	11188799		34
02/19/08	03:04	\$3.25	W	WELF	11196007		34
02/26/08	03:31	\$3.25	W	WELF	11202854		34
03/04/08	03:43	\$3.25	W	WELF	11210336		34
03/11/08	02:48	\$3.25	W	WELF	11216623		34
03/18/08	03:13	\$3.25	W	WELF	11223764		34

JOHN BARBER

BK#0503340152

W.V.D.C.

9500 N.ETIWANDA AVE.
RANCHO CUCAMONGA CA.91739

LEGAL MAIL

MAY

2008

LEGAL MAIL



LEGAL MAIL

CITY OF INDUSTRY

ATT.PROSE COURT CLERK

U.S.DISTRICT COURT

CALIFORNIA NORTHERN DISTRICT (OAKLAND)

1301 CLAY ST.SUITE 400S

OAKLAND CA.94612-5212